



COPYRIGHT ROYALTY BOARD

Joint Claim for DART Royalty Fees

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In accordance with Chapter 10 of the Copyright Act, 17 USC, and Part 360 of the Copyright Royalty Board regulations, 37 CFR 360.20–360.25, the claimant named herein files with the Copyright Royalty Board of the Library of Congress a claim to royalty payments collected from manufacturers and importers of digital audio recording devices and digital audio recording media who distribute the products in the United States, collected during the period January 1 through December 31, 2006.

You must provide the requested information for each item on this form.

Filer and Interested Copyright Party Information

FILER FULL NAME AND ADDRESS: Below, provide the full legal name and address (including specific number and street name or rural route), of person or entity filing the claim.

NAME The American Society of Composers, Authors and Publishers

STREET One Lincoln Plaza

CITY/TOWN New York STATE NY ZIP 10023

OTHER FILER IDENTIFICATION: Indicate below whether the person filing this claim is the interested copyright party (see no. 5 for definition), an authorized representative of the interested copyright parties, or both. Check only one.

☒ Interested copyright party ☐ Authorized representative of the interested copyright parties ☐ Both

Telephone number of person or entity filing the claim: (212) 621-6450

Facsimile number, if any, of person or entity filing the claim: (212) 787-1381

Email, if any, of the person or entity filing the claim: smosenkis@ascap.com

CONTACT PERSON: This person must be an interested copyright party (see no. 5 for definition), an authorized representative of the interested copyright parties, or a designee of either. Include name, phone, fax (if any), and email (if any).

NAME Samuel Mosenkis

PHONE (212) 621-6450

FAX (212) 787-1381

EMAIL SMosenkis@ascap.com

LIST OF INTERESTED COPYRIGHT PARTIES: Below, provide the name of each claimant to the joint claim who has duly authorized the representative named herein to file this claim on their behalf. You may attach a list of the names of the claimants to the joint claim in lieu of listing the names below.

See Attached ASCAP Publisher Member List

Claim Information

SUBFUND SELECTION: In the appropriate fund space below, select the subfund against which your claim is being made. A separate claim must be filed for each subfund. Select only one subfund below.

Sound Recordings Fund—

☐ Copyright Owners Subfund: Check here, then select statement A or D(i) below in item 5, whichever is more applicable.

☐ Featured Artists Subfund: Check here, then select statement C or D(i) below in item 5, whichever is more applicable.

Musical Works Fund—

☐ Writers Subfund: Check here, then select statement B, D(i), or D(ii) below in item 5, whichever is more applicable.

☒ Publishers Subfund: Check here, then select statement B, D(i), or D(ii) below in item 5, whichever is more applicable.

INTERESTED COPYRIGHT PARTY DEFINITION: By selecting a statement below, indicate how the claimants fit within the definition of interested copyright parties in 17 USC 1001(7). If the claimants are interested copyright parties under more than one definition, select the most appropriate definition that corresponds to the subfund selected in item 4 (above).

Check only one statement below.

- ☐ (A) the owner of the exclusive right under section 106(1) of this title to reproduce a sound recording of a musical work that has been embodied in a digital musical recording or analog musical recording lawfully made under this title that has been distributed (17 USC §1001(7)(A));
- ☐ (B) the legal or beneficial owner of, or the person that controls, the right to reproduce in a digital musical recording or analog musical recording a musical work that has been embodied in a digital musical recording or analog musical recording lawfully made under this title that has been distributed (17 USC §1001(7)(B));
- ☐ (C) a featured recording artist who performs on a sound recording that has been distributed (17 USC §1001(7)(C)); or
- ☐ (D) any association or other organization (make your selection below):
- ☐ (i) representing persons specified in subparagraph (A), (B), or (C), (17 USC §1001(7)(D)(i)) —or—
- ☒ (ii) engaged in licensing rights in musical works to music users on behalf of writers and publishers (17 USC §1001(7)(D)(ii)).

CLAIM IDENTIFICATION: To establish the basis for this claim, identify below at least one musical work or sound recording embodied in a digital musical recording or an analog musical recording lawfully made under title 17 USC that has been distributed or disseminated to the public in transmissions between January 1 and December 31, 2006.

Musical Work "Not Counting You" written by Troyal Garth Brooks and published by Major Bob Music - disseminated to the public by radio transmission via WYCD-FM, Detroit, MI on February 12, 2006

Musical Work "You're No Good" by Clinton Ballard, Jr. and published by Beardog Publishing - disseminated to the public by radio transmission via WOGL-FM, Philadelphia, PA on January 29, 2006

Declaration

The undersigned declares under penalty of law that he or she is duly authorized by the claimants identified herein to make this filing on their behalf and further declares under penalty of law that all statements contained herein are true, complete, and correct to the best of the undersigned's knowledge, information, and belief, and are made in good faith. [18 USC 1001 (2000)]

Samuel Mosenkis

(TYPED OR PRINTED NAME)

(SIGNATURE)

(DATE)